



Town of Carlisle

MASSACHUSETTS 01741

Office of

PLANNING BOARD

P.O. BOX 827
CARLISLE, MA 01741
(508) 369-9702

DRAFT

MINUTES

September 9, 1996

ANR PLAN: Rutland St. (Healey)

REPORTS: Study Plan Implementation Subcommittees

Chair Colman called the meeting to order at 7:20 p.m. Colman, Duscha, Epstein and Hengeveld were present. Yanofsky, Tice and LaLiberte were absent. Also present was Planning Administrator Mansfield and Selectman Chaput.

Minutes from the meeting of 8/5/96 were not yet available.

ANR PLAN: Rutland St. (Healey)

Mansfield explained that this plan divides an 8.5 acre lot with 418 ft. of frontage on the east side of Rutland St., at the Billerica line, into two lots. The present house will remain on a standard 2.6 acre lot with 250 ft. of frontage, and a new 5.2 acre pork chop lot will be created with 168 ft. of frontage. Duscha **moved that the Board endorse this ANR Plan**, noting that real access and frontage are provided to these lots. Hengeveld seconded the motion, and it was **approved 4-0**.

REPORTS: Study Plan Implementation Subcommittees

Hengeveld reported from the Funding Subcommittee (A). She said she talked with Pat Loring, who is willing to confer informally on the telephone periodically. Loring believes that a consultant is not necessary right now. Hengeveld suggested a goal for the subcommittee: to create resource tools for the Town that would comprise a directory of funding sources available to landowners who want to preserve their property as open space. These tools should include both a resource book and a brochure. Duscha said that such materials would have to be updated regularly, and Hengeveld agreed.

Duscha suggested that we should also figure out how the Town itself might purchase land for open space. Epstein asked if any public grants were available for this purpose. Hengeveld replied that, as far as she knew, funds for this purpose are only available

through the State, and a Community Action Statement must be in place before application can be made for this support. However, she added, funds are available to expand State parks, and speculated that there may be land adjacent to Great Brook that might come to be available. She said that she would talk with Chris Chisholm at DEM to find out if they have an acquisition list for any Carlisle land.

Hengeveld reported further that she has made no progress in recruiting additional subcommittee members. Duscha said that she had a neighbor, Lynne Lipinski, an accountant, who might be interested; she offered to speak with her.

There was no report from the Resource Identification Subcommittee (B) since Tice was absent.

Epstein reported on the status of the Legal Tools Subcommittee (C). Colman noted that the Finance Committee is hearing this subcommittee's request for funding for a planning consultant to help draft new open space bylaws on September 19. He reviewed the FinComm's three questions regarding this request:

- Why not wait to submit this request until the next budget cycle?
- Why can't the Planning Board's Professional and Technical account be used to fund a portion of this request?
- Is this expected to be a one-time expense or one that will continue in future operating budgets?

He noted that the expenditures in the Prof. & Tech. account were low in FY95 because Tall Pines was delayed. Mansfield added that the Town Accountant had also explained that some expenses that should have been drawn from this account that year were mistakenly taken from another source. Epstein added that legal review of any bylaw revisions will also be necessary, which will come from this account. Colman concluded that he is clear on the answers to these questions and will talk with LaLiberte on the manner in which this will be presented to the FinComm.

Chaput reminded the Board that Selectmen have scheduled a planning meeting on October 3 to which all Boards are invited to discuss and develop goals and objective for the Town for the coming year. She asked the Board to develop a list of its goals for that meeting. After some discussion, the members present listed the following goals:

1. Prepare and submit a Community Action Statement to the State DHCD.
2. Identify and prioritize land resources for preservation.
3. Create a "planning brochure" and a "funding resource guide" as a reference for owners of land identified for preservation.
4. Draft and adopt a new open space residential development bylaw.
5. Draft and adopt amendments to the existing Conservation Cluster bylaw (sec. 5.5)
6. Draft and adopt a scenic roads bylaw.

Duscha suggested that these goals also contain something regarding public education about the objectives of the *Study Plan*. But Epstein replied that he didn't want to include this now.

Regarding the proposed amendments to the Conservation Cluster bylaw, Epstein suggested that this discussion be postponed until more Board members were present. He explained that in his draft, all items bracketed were those that he either did not understand the relevance of or was unsure that they help achieve the purpose of the bylaw. He suggested that the members give these sections their particular attention. He pointed out that the major issue in this proposal is the use of a new baseline to determine the number of lots that would be allowed in a particular cluster development. Presently, this baseline, or "proof plan," is an ANR plan. But Terry Szold in her analysis last month recommended against using this standard, Epstein noted. 99% of towns use a preliminary subdivision plan as a baseline, he said, and suggested that the Board look at the rules and regs. for preliminary plans to see if all the details required there are really needed for a baseline plan.

Colman observed that a preliminary plan may be more costly to prepare for the applicant than is an ANR plan. Alternatively, he queried, if the preliminary plan is very general, will the Board be able to determine if it is really feasible without extraordinary engineering techniques? Duscha replied that it is certainly a risk to use a simplified plan as a baseline, but perhaps the ultimate gain is worth the risk. She said she is more concerned with determining the limitations imposed on lot numbers by septic system feasibility, and noted that Arendt had suggested a sampling system for perc rates for potential lots. But Colman responded that he is less concerned about that since Title V had allowed options for alternative systems.

He went on to state that if we are presented with a property where we really want to preserve the open space, what do we care about where the septic systems are going to be? Does it matter if we create a more intensive use in one place to save something really special, as long as the wastewater disposal systems built pass the Board of Health tests?

Epstein expressed his reservations about the wisdom of bringing forth his draft amendments to the existing Conservation Cluster bylaw to Town Meeting before the benefit of a consultant's review, because we may adopt a standard (such as the baseline) now that we might wish to amend for consistency later when, hopefully under a consultant's guidance, the Board proposes a new open space residential development bylaw. On the other hand, he admitted, this bylaw serves a rather narrow purpose for special needs and should be able to stand alone. He pointed out that his proposals do give up some control, but that is necessary if the alternative development option is to be attractive to developers. Duscha said that she may not agree with this view.

Epstein asked Board members to consider, for the next meeting, how the proposed baseline relates to the minimum lot size specified on page 4 of his draft. (See P.A.'s memo of September 19.) Colman and Chaput each replied that if there is a reasonable

baseline, they did not care about minimum lot size. Epstein also suggested that Duscha, in particular, as well as other members look carefully at his proposed section on "Design Requirement" (which may be more appropriate for subsequent rules and regs.). Colman questioned the means of enforcement of design standards, and Chaput replied that the Selectmen or the police would have to have that authority. Mansfield noted that enforcement of Special Permit provisions is an important, but separate, topic that the Board should at some time consider.

Finally, timing of considering these amendments was discussed. It was agreed that a hearing for this proposed zoning bylaw should be scheduled on October 28, if there is going to be a Fall Town meeting and presuming that will not occur before November. Therefore, the Board should agree on a final draft of these amendments at their September 30 meeting.

Tall Pines: Request for lot releases

Bill Costello presented his request to release Lots 33A and 38 from the Board's covenant. These would be the ninth and tenth lots released by the Board. He explained that last June the contractor, Melone, put together an estimate to finish all the improvements that totaled \$635,000. Since that time, all the drainage in Kimball Road has been completed, and Swanson Lane is prepared to receive its binder coat. Colman asked that the Board make another site visit before the binder is applied. Costello agreed to schedule this as soon as possible (it occurred on September 17, with Colman, Duscha and Mansfield attending).

Costello said that based on LandTech's estimates, the current cost to complete the improvements is no more than \$400,000. he said he plans to landscape shoulders and detention basins this fall, top the fire cisterns, and apply binder coat to all roadways except Barnes Place. He noted a change from the originally specified cisterns, called for by the Fire Chief. He said the Chief Koning has requested two 20,000 gallon tanks, built according to new Fire Department specifications. Costello agreed to provide the Board with a copy of those specs. He said that even a 20,000 gallon tank is inadequate, and Colman suggested asking LandTech for an analysis of alternatives to current cistern and detention basin design, noting that one alternative is a well contained within a detention basin. He suggested that Chief Koning be conferred with, however, prior to making such a request of LandTech.

Costello asked to be allowed to hold up on the roadway finish coats until building on all but the last few lots is completed, to prevent damage to the road from independent contractors. He said that the Board could hold the release of the last ten lots while he finishes the road. Colman stated that he did not have a problem with that schedule. Costello added that such a schedule should be required in the Board's rules and regs.

Duscha moved to release Lot 38 and Lot 33A from the Restrictive Covenant for Tall Pines. Epstein seconded the motion, and it was approved 3-0-1, Hengeveld being recused from voting.

Review of Draft Scenic Roads Bylaw

There was considerable discussion of the draft bylaw prepared by Duscha and edited by Epstein and Mansfield. Mansfield noted that this would be a general, rather than zoning, bylaw and as such, does not require a public hearing before Town Meeting. It was suggested that the Bylaw have an introductory section, and Mansfield distributed his proposed draft of such a section. Colman noted that while "special qualities" bordering a road appears to be a "catch-all" criteria for designation of scenic roads, this is probably a good idea to retain. He also expressed the opinion that the applicant for a public hearing to consider alteration of scenic road features should pay the costs of advertising and notice.

Epstein questioned 500 ft. as a notification standard for abutters, and Duscha replied that this was Dover's standard that she felt was appropriately most inclusive. Other minor questions raised about the draft were answered by Duscha. It was agreed that the P.A. would find out if Carlisle has a Tree Warden (it is the Public Works Director), and compare the proposed standard for the size of a defined "tree" with Lincoln's bylaw (they are consistent).

Long-term Capital Budget requests

This response is due to the Long-term Capital Requirements Committee by October 1. Duscha suggested that a Geographic Information System (GIS) be in the plan. Mansfield noted that MAPC is sponsoring a series of repeated GIS workshops free for municipal staff over the next month, and that he would look into attending one. Colman asked that any further discussion of this item be held until Yanofsky was present and/or could provide input.

The meeting was adjourned at 9:30 p.m.

Respectfully submitted,

George E. Mansfield
Planning Administrator